

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Scott Hutchison Enterprises, Inc., et al.,	:	Civil Action No. C-1-01-776
	:	
Plaintiffs	:	Judge Weber
	:	
v.	:	
	:	
Rhodes, Inc., et al.,	:	
	:	
Defendants	:	AFFIDAVIT OF THOMAS R.
	:	SCHUCK IN SUPPORT OF BILL
	:	OF COSTS
	:	

Thomas R. Schuck, having first been duly cautioned and sworn, states as follows:

1. I am trial attorney for Defendant H.T. Boggs in the above-captioned action, in which capacity I have personal knowledge of the matters set forth herein. The bill of costs submitted to the Court with this affidavit was prepared under my supervision and it is correct to the best of my knowledge.

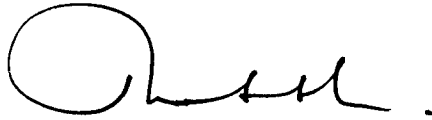
2. The expenses set forth in this bill of costs were necessarily incurred on behalf of Mr. Boggs in defense of the claims asserted against him by Plaintiffs in this action and the services for which fees have been charged and expenses have been incurred were actually and necessarily performed on his behalf.

3. As set forth in my letter of February 27, 2004, a copy of which accompanies the bill of costs at the tab labeled "Other", I disputed the fee sought by one of Plaintiffs' designated expert witnesses, L. Dean Schwartz, for his deposition testimony in this action and offered to pay him the same fee (\$400) that another appraiser designated as an expert witness by Plaintiffs, Larry M. McDaniel, charged for giving deposition testimony in the action. If the Court allows a fee to Mr. Schwartz as part of the costs taxed against Plaintiffs in the action and Plaintiffs pay

those costs, I will pay that amount to Mr. Schwartz. Mr. Boggs has already paid the fee charged by Mr. McDaniel.

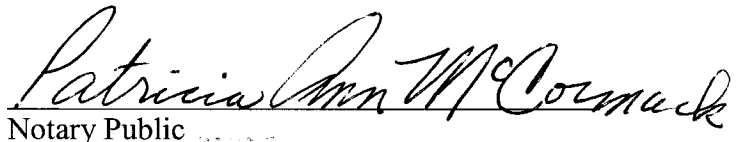
4. All of the fees charged by reporters for taking and transcribing and/or videographing the depositions which are identified in the attachments to the bill of costs, which were filed with the Court and used by the parties in connection with their motions for summary judgment, have been paid by Mr. Boggs; and the other expenses set forth in the bill of costs were incurred by my law firm on his behalf and have been borne by him.

Further affiant sayeth naught.



Thomas R. Schuck

Sworn to and subscribed before me this 2nd day of November, 2005.


Notary Public

PATRICIA ANN MCCORMACK
Notary Public, State of Ohio
My Commission Expires July 22, 2010